

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
BRYSON CITY DIVISION**

**CRIMINAL CASE NO. 2:12cr07**

**UNITED STATES OF AMERICA,** )  
 )  
 **Plaintiff,** )  
 )  
 **vs.** )  
 )  
 **HARLAND LAVERN SQUIRREL,** )  
 )  
 **Defendant.** )  
 \_\_\_\_\_ )

**ORDER**

**THIS MATTER** is before the Court on the Defendant's Motion to Suppress Evidence [Doc. 20].

Pursuant to 28 U.S.C. §636(b) and the Standing Orders of Designation of this Court, United States Magistrate Judge Dennis L. Howell was designated to consider the motion and to submit recommendations for its disposition.

After conducting a hearing on the motion, the Magistrate Judge filed a Memorandum and Recommendation on September 27, 2012 in which he recommended denying the motion. [Doc. 51]. The parties were advised that any objections to the Magistrate Judge's recommendation were to be filed in writing within fourteen days of service of the Memorandum and

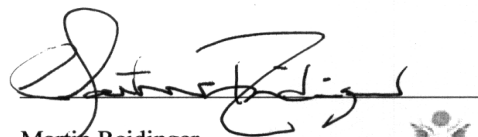
Recommendation and that the failure to file objections thereto would preclude the parties from raising any objection on appeal. [Id., at 31]. The period within which to file objections expired on October 15, 2012<sup>1</sup> and no written objections to the Memorandum and Recommendation have been filed.

Having conducted a careful review, the Court concludes that the Magistrate Judge's recommendation is supported by the record and the law. The Court therefore accepts the Magistrate Judge's recommendation and denies the motion to suppress.

**IT IS, THEREFORE, ORDERED** that the Defendant's Motion to Suppress Evidence [Doc. 20] is hereby **DENIED**.

**IT IS FURTHER ORDERED** that the pending motions *in limine* contained with Documents 41, 42 and 47 are deferred to the time of trial.

Signed: October 18, 2012

  
Martin Reidinger  
United States District Judge



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<sup>1</sup>Fed.R.Crim.P. 45(c) provides that three days are added after the period would otherwise expire.